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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/916,253	07/30/2001	Yang Gao		8659

7590 06/08/2004

Yang Gao
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Fremont, CA 94539

EXAMINER

COURTENAY III, ST JOHN

ART UNIT	PAPER NUMBER
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2126

DATE MAILED: 06/08/2004

4

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/916,253

Applicant(s)

GAO ET AL.

Examiner

St. John Courtenay III

Art Unit

2126

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 July 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☒ Claim(s) 5-8 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 July 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

ST. JOHN COURTENAY III
PRIMARY EXAMINER

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Detailed Action

1. Claims 5, 6, 7 and 8 are objected to under **37 CFR 1.75(c)** as being in improper form because a multiple dependent claim should refer to other claims in the alternative only. See **MPEP § 608.01(n)**. Accordingly, claims 6-8 have not been further treated on the merits. Claim 6 is objected to because claim 6 depends upon claim 5.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's Admitted Prior Art (**APA**) in view of **Goodman**, Danny, "Danny Goodman's JavaScript Handbook" IDG Books Worldwide, 1996, pages 32-35.

As per independent claim 1:

APA discloses the invention substantially as claimed:

APA teaches a method for executing an RPC (Remote Procedure Call) over HTTP from a Web page within the application window at a client device, the method comprising:

- containing, in the application window of a client device, at least one Web page [see discussion of NetGratus Remote Scripting, page 8 of instant specification];

- transmitting, to a server, an HTTP request initiated by a first HTML element [see discussion of NetGratus Remote Scripting, page 8 of instant specification];
- invoking, at a server, a procedure or a set of program code identified by the URL of said first HTML element [see discussion of NetGratus Remote Scripting, page 8 of instant specification];

However, **APA** does not *explicitly* teach receiving, at the Web browser from the server in the transmitting action, output of the procedure or program code in the invoking action into a second HTML <script> element. APA does teach that the client-side proxy uses <iframe> for Microsoft Internet Explorer browsers and <layer> for Netscape browsers as the vehicle to transport the data [see discussion of NetGratus Remote Scripting, page 8 of instant specification].

Goodman teaches the well known use of the <script> tag to mark sections of executable code [e.g., see "<SCRIPT> tag" discussion pages 32-35.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to improve upon the system taught by **APA** by using the <script> tag (instead of <iframe>) because it would provide **APA's** system with the enhanced capability of using client-side JavaScript code to process the data returned from the server after the remote procedure is executed.

As per dependent claim 2:

APA teaches the application window is a Web browser window [see discussion of NetGratus Remote Scripting, page 8 of instant specification].

As per dependent claim 3:

APA teaches the first HTML element in the transmitting action and the second HTML element in the receiving action are contained within the same Web page [see discussion of NetGratus Remote Scripting, page 8 of instant specification - APA does teach that the client-side proxy uses <iframe> for Microsoft Internet Explorer browsers and <layer> for Netscape browsers as the vehicle to transport the data].

As per dependent claim 4:

APA teaches the first HTML element in the transmitting action and the second HTML element in the receiving action are contained within different Web pages [see discussion of NetGratus Remote Scripting, page 8 of instant specification].

As per dependent claim 5:

APA, as modified by Goodman, teaches the first HTML element in the transmitting action is an HTML <script> element [see discussion of NetGratus Remote Scripting, page 8 of instant specification; see Goodman disclosure of the <script> element pages 32-35].

As per dependent claim 6:

APA, as modified by Goodman, teaches the first HTML element in the transmitting action is the same as the second HTML element in the receiving action. [APA teaches that the client-side proxy uses <iframe> for Microsoft Internet Explorer browsers and <layer> for Netscape browsers as the vehicle to transport the data; Goodman teaches the use of the <script> element, as discussed above in the rejection of claim 1].

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3. Claims 7 and 8 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Applicant's Admitted Prior Art (**APA**) in view of **Goodman**, Danny, "Danny Goodman's JavaScript Handbook" IDG Books Worldwide, 1996, pages 32-35, and further in view of well known prior art.

As per dependent claims 7 & 8:

APA, as modified by **Goodman**, discloses the invention substantially as claimed, as discussed above in the rejections of claims 1-6.

However, **APA & Goodman** do not *explicitly* teach the use of the `` and `<embed>` HTML elements.

"Official Notice" is taken that the selection of a particular HTML element or "tag" (such as `` or `<embed>`) is a design choice well known to those of ordinary skill in the art, and such choice is ordinarily motivated so as to accommodate the particular requirements of an end user, such as using the `` tag to embed an image in a web page, or using the `<embed>` tag to add sound to a web page. Accordingly, the claimed arrangement does not constitute a limitation that is patentably distinct from well known practices in the art [MPEP 2144.03].

4. Prior Art not relied upon:

Please refer to the references listed on the attached PTO-892 which are not relied upon in the claim rejections detailed above.

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How to Contact the Examiner:

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to **St. John Courtenay III** whose voice telephone number is **(703) 308-5217**. A voice mail service is also available at this number. Normal Flex work schedule: M – F 7:30 AM - 4:00 PM

- **All responses sent by U.S. Mail should be mailed to:**

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Patent Customers advised to FAX communications to the USPTO

<http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/faxnotice.pdf>

Effective Oct. 15, 2003, ALL patent application correspondence transmitted by FAX must be directed to the new PTO central FAX number:

**NEW PTO CENTRAL FAX NUMBER:
703-872-9306**

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- Any inquiry of a general nature or relating to the status of this application should be directed to the **TC 2100 Group receptionist: (703) 305-3900**.

Please direct inquiries regarding fees, paper matching, and other issues not involving the Examiner to:

Technical Center 2100 CUSTOMER SERVICE: 703 306-5631

The Manual of Patent Examining Procedure (MPEP) is available online at:
<http://www.uspto.gov/web/offices/pac/mpep/index.html>



**ST. JOHN COURTENAY III
PRIMARY EXAMINER**